

APPENDIX A

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

DOMSEY TRADING CORPORATION, DOMSEY  
FIBER CORPORATION AND DOMSEY  
INTERNATIONAL SALES CORPORATION,  
A SINGLE EMPLOYER

and

INTERNATIONAL LADIES' GARMENT  
WORKERS' UNION, AFL-CIO

LOCAL 99, INTERNATIONAL LADIES'  
GARMENT WORKERS' UNION, AFL-CIO

Case Nos. 29-CA-14548  
29-CA-14619  
29-CA-14681  
29-CA-14735  
29-CA-14845  
29-CA-14853  
29-CA-14896  
29-CA-14983  
29-CA-15012  
29-CA-15119  
29-CA-15124  
29-CA-15137  
29-CA-15147  
29-CA-15323  
29-CA-15324  
29-CA-15325  
29-CA-15332  
29-CA-15393  
29-CA-15413  
29-CA-15447  
29-CA-15685

RECEIVED  
JULY 22 AM 11:41  
JUDGES  
V. J. JUDGES

**MOTION**

PLEASE TAKE NOTICE that the National Labor Relations Board, Region 29  
("Region"), upon the facts stated below, moves that:

Administrative Law Judge Michael A. Marcionese approve the withdrawal of the  
backpay claims for Michelet Exavier ("Exavier") and Rose Marlene St. Juste ("St. Juste")<sup>1</sup>  
from the Compliance Specification and Notice of Hearing dated August 20, 1997, as  
amended, and further moves that discriminatee Rene Geronimo ("Geronimo") be

<sup>1</sup> The Board, in its Supplemental Order, inadvertently lists St. Juste's name as Rose Marie St. Juste.

## APPENDIX A

removed from the located list, designated as not located and treated in the same manner as those individuals on the not located list.

In support of this motion, the undersigned Counsel for the General Counsel shows and alleges that:

1. On September 30, 2007, the National Labor Relations Board ("Board") issued its Supplemental Decision and Order in the above-captioned matter [351 NLRB No. 33]. The Board issued a remand to the Administrative Law Judge to develop a complete factual record concerning the authorization status of six individuals.<sup>2</sup>

2. As per the Board remand, the Region has investigated and concluded to withdraw the backpay claims of Exavier and St. Juste.

3. Although available to testify at the compliance hearing approximately ten years ago, and despite numerous efforts by the Region, Geronimo cannot be located at this time. Under these circumstances, and in the interest of justice, the Region moves that Geronimo be removed from the located list, designated as not located and treated in the same manner as those individuals on the not located list.

5. Based upon the foregoing, this Motion should be granted.<sup>3</sup>

WHEREFORE, Counsel for the General Counsel respectfully moves the Administrative Law Judge for the relief prayed herein as follows:

(a) rule upon this Motion without requiring a hearing; and

(b) find pursuant to the Board's remand that the backpay claims of

Michelet Exavier and Rose Marlene St. Juste should be withdrawn from the Amended

---

<sup>2</sup> Three of these individuals are the subject of the Joint Motion filed in conjunction with the Motion herein.

<sup>3</sup> Respondent has no objection to the withdrawal of the backpay claims for Exavier and St. Juste. Respondent does object to the removal of Geronimo's name on the located list and his designation and treatment as not located.

## APPENDIX A

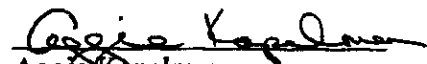
Compliance Specification and Notice of Hearing and that Rene Geronimo shall be removed from the located list, designated as not located and treated in the same manner as those individuals on the not located list; and

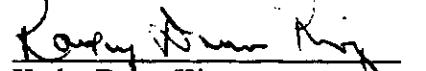
(c) issue a Second Supplemental Decision with said findings; and

(d) such other relief as may be proper under the circumstances.

Dated at Brooklyn, New York this 21 day of May, 2008.

Respectfully submitted,

  
Aggie Kapelman  
Counsel for the General Counsel  
Region 29

  
Kathy Drew King  
Counsel for the General Counsel  
Region 29

APPENDIX A



United States Government  
NATIONAL LABOR RELATIONS BOARD  
Region 29  
Two MetroTech Center – 5th Floor  
Brooklyn, New York 11201-4201  
(718) 330-7723 Fax: (718) 330-7579

May 21, 2008

By Fed Ex: [# 8651 8120 2276]  
Honorable Michael A. Marcionese  
National Labor Relations Board  
Division of Judges  
401 West Peachtree Street, N.W. – Suite 1708  
Atlanta, GA 30308-3510

RECEIVED  
JUDGES  
MAY 22 AM 11:41  
NLRB  
ATLANTA, GA

Re: Domsey Trading Corp., et al.  
Case Nos.: 29-CA-14548, et al.

Dear Judge Marcionese:

I have enclosed two motions concerning the above-captioned case for your consideration. The first motion concerns the withdrawal of backpay claims for two individuals and the designation of not located for a third. The second motion is the joint motion that was discussed during our previous conference call. I faxed, and mailed, Mr. Friedman copies of the joint motion on May 7. I have received no response from Mr. Friedman concerning the motion, despite two subsequent telephone calls seeking his comments and/or signature. I note that during our conference call Mr. Friedman said he would join in the motion. Therefore, in the interests of pursuing this matter as expeditiously as possible, I am submitting the two motions for your consideration. The Union has signed the joint motion as well.

Very truly yours,

Aggie Kapelman  
Counsel for the General Counsel

Enclosures

cc: Paul Friedman, Esq. [By Fed Ex:# 8651 8120 2287]  
Richard M. Greenspan, Esq. [By Fed Ex:# 8651 8120 2298]

APPENDIX A  
UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

DOMSEY TRADING CORPORATION, DOMSEY  
FIBER CORPORATION AND DOMSEY INTERNATIONAL  
SALES CORPORATION, A SINGLE EMPLOYER

AND

INTERNATIONAL LADIES' GARMENT WORKERS'  
UNION, AFL-CIO

LOCAL 99, INTERNATIONAL LADIES' GARMENT  
WORKERS' UNION, AFL-CIO

Case No. 29-CA-14548; 14619;  
14681; 147335; 18845; 14853; 14896;  
14983; 15012; 15119; 15124; 15137;  
15147; 15323; 15324; 15325; 15332;  
15393; 15413; 15447 AND 15685

Date of Mailing: May 21, 2008

AFFIDAVIT OF SERVICE OF: MOTION /JOINT MOTION

I, the undersigned employee of the National Labor Relations Board, being duly sworn, depose and say that on the date indicated above I served the above-entitled document(s) by federal express mail upon the following persons, addressed to them at the following addresses:

Domsey Trading Corporation,  
Domsey Fiber Corporation and  
Domsey International Sales Corporation  
c/o Arthur Salm  
1444 Paslay Place  
Lantana, FL 33462-4774

Blank Rome LLP  
405 Lexington Avenue  
New York, New York 10174  
Attn: Paul Friedman, Esq.

Hon. Michael A. Marcionese  
Administrative Law Judge  
Division of Judges  
401 West Peachtree Street, N.W.  
Suite 1708  
Atlanta, GA 30308-3510

Greenspan Law Offices  
220 Heatherdell Road  
Ardsley, New York 10502  
Attn: Richard Greenspan, Esq.

UNITE-HERE  
275 Seventh Avenue - 10<sup>th</sup> floor  
New York, New York 10001  
Attn: Ira J. Katz, Esq.

RECEIVED  
NLRB  
JUDGES  
MAY 22 11:41 AM  
ATLANTA, GA

Subscribed and sworn to before me this 21ST day  
of MAY, 2008

*Michael A. Marcionese*  
DESIGNATED AGENT

*Ira J. Katz*  
NATIONAL LABOR RELATIONS BOARD

APPENDIX B

BLANK  ROME <sup>LLP</sup>  
COUNSELORS AT LAW

RECEIVED  
NLRB

2008 JUN 12 PM 1:02

DIVISION OF JUDGES  
ATLANTA, GA

Phone: (313) 485-5411  
Fax: (313) 332-3044  
Email: PFriedman@BlankRome.com

June 11, 2008

BY FEDERAL EXPRESS  
Michael A. Marcionese  
Administrative Law Judge  
National Labor Relations Board  
Division of Judges  
401 West Peachtree Street NW  
Suite 1708  
Atlanta, Georgia 30308-3510

Re: *In re Domsey Trading Corp.*  
351 NLRB No. 33 (2007)

Dear Judge Marcionese:

Please accept this correspondence in response to the Order to Show Cause entered by this tribunal on May 29, 2008, requiring Respondent to show cause by no later than close of business June 12, 2008, why the two motions filed by the General Counsel should not be granted, and why the tribunal should not rely upon the proffered evidence to resolve the issues remanded by the National Labor Relations Board ("Board").

In Motion 1 General Counsel seeks to withdraw the back pay claims of Michelet Exavier and Rose Marlene St. Juste, and to place Rene Geronimo on the "not located list." (See Motion 1, ¶¶ 2-3.) Respondent has no objection to the General Counsel's request to withdraw the claims on behalf of Mr. Exavier and Ms. St. Juste. Respondent objects, however, to placing Rene Geronimo on the "not located list," so that back pay can be awarded on his behalf, and placed in escrow. General Counsel admits that Mr. Geronimo was located for the original proceeding. It is only now, upon a remand specifically to determine whether Mr. Geronimo was legally entitled to work in the United States, that he has become "missing."

On remand, the Board instructed the following as to Mr. Geronimo:

~~Rene Geronimo, like Exavier, admitted that the social security number he provided to the Respondent was invalid, but the judge found this did not warrant a denial of backpay because undocumented aliens were entitled to the Board's remedies. Under~~

The Chrysler Building 405 Lexington Avenue New York, NY 10174-0208  
www.BlankRome.com

128535.00801/8846056v.1

Delaware -- Florida -- New Jersey -- New York -- Ohio -- Pennsylvania -- Washington, DC -- Hong Kong

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June 11, 2008  
Page 2

BLANK  ROME LLP  
COUNSELLORS AT LAW

*Hoffman Plastic Compounds*, we must reject that finding but ... the use of an invalid social security number, standing alone, does not establish that an individual is unauthorized. Whether Geronimo was, in fact, unauthorized to work during the backpay period remains an open question.

*In re Domsey Trading Corp.*, 351 NLRB No. 33, \*9 (2007) (emphasis added).

The Board has already concluded that Mr. Geronimo admitted that he used a false social security number to procure employment with Respondent. Further, it is undisputed that he has failed to participate in the remand proceedings. The only facts available for consideration concerning Mr. Geronimo all suggest that he was not legally permitted to work in the United States during the back pay hearing. There is no evidence to the contrary. The only possible conclusion is that Mr. Geronimo is not entitled to back pay.

In Motion 2 (the Joint Motion), the General Counsel seeks to introduce evidence and obtain a ruling as to the following individuals: Atulie Balan, Bardinal Brice, Marie Josee Francois, and Louis Antoine L. Dormeville. Respondent does not object to the Motion as to these individuals.

As for both Motions, and for the entirety of the proceedings, Respondent hereby renews all of its rights to seek judicial relief from any orders or rulings entered by this tribunal, or the Board. This reservation includes, but is not limited to all of Respondent's exceptions previously raised at any stage of the proceedings, and upon any exceptions that may follow.

Respectfully submitted,

Blank Rome LLP

By: 

Paul A. Friedman

PAF:aam

Cc: Aggie Kapelman, Esq. (by Federal Express)

## APPENDIX C

### UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

DOMSEY TRADING CORPORATION, DOMSEY  
FIBER CORPORATION AND DOMSEY  
INTERNATIONAL SALES CORPORATION,  
A SINGLE EMPLOYER

and

INTERNATIONAL LADIES' GARMENT  
WORKERS' UNION, AFL-CIO

LOCAL 99, INTERNATIONAL LADIES'  
GARMENT WORKERS' UNION, AFL-CIO

Case Nos. 29-CA-14548  
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29-CA-14983  
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29-CA-15124  
29-CA-15137  
29-CA-15147  
29-CA-15323  
29-CA-15324  
29-CA-15325  
29-CA-15332  
29-CA-15393  
29-CA-15413  
29-CA-15447  
29-CA-15685

### JOINT MOTION

PLEASE TAKE NOTICE that Domsey Trading Corporation, Domsey Fiber Corporation and Domsey International Sales Corporation ("Domsey"), the International Ladies' Garment Workers' Union, AFL-CIO and Local 99, International Ladies' Garment Workers' Union, AFL-CIO ("Union") and the National Labor Relations Board, Region 29 ("Board") moves for acceptance of the following stipulations based on the attached supporting documents:

1. Atulie Balan's backpay period begins on September 20, 1990, the date on which she was legally entitled to work in the United States, as is established by the



## APPENDIX C

attached Social Security Administration documentation. Her net backpay is \$5,500.95.

[See Exhibits A and B]

2. Cardinal Brice's backpay period begins on January 22, 1991, the date on which he was legally entitled to work in the United States, as is established by the attached Social Security Administration documentation. His net backpay is \$4,401.00.

[See Exhibits C and D]

3. Marie Josee Francois was legally entitled to work in the United States during the entire backpay period, as is established by the attached Social Security Administration documentation. When strike benefits are added to Marie Josee Francois' interim earnings her net backpay is \$5,457.10. [See Exhibits E and F]

4. The Administrative Law Judge's finding in his Supplemental Decision issued on October 4, 1999, that Louis Antoine L. Dormeville's backpay totals \$1,960.55 is correct. When strike benefits are added to Louis Dormeville's interim earnings his net backpay is \$928.75. [See Exhibit G]

WHEREFORE, Domsey, the Union, and the Board respectfully moves the Administrative Law Judge to accept these stipulations as the basis for making the factual findings in his Second Supplemental Decision.

By: \_\_\_\_\_  
Domsey Trading Corporation, Domsey  
Fiber Corporation, Domsey International  
Sales Corporation

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
International Ladies' Garment Workers  
Union, AFL-CIO  
Local 99, International Ladies Garment  
Workers' Union, AFL-CIO

Dated: 5/19/01

APPENDIX C

By: Cecilia Kagan  
Counsel for the General Counsel, National  
Labor Relations Board, Region 29

Dated: May 21, 2008

By: Kathy Ann King  
Counsel for the General Counsel, National  
Labor Relations Board, Region 29

Dated: May 21, 2008

## **APPENDIX C**

### **INDEX OF EXHIBITS**

- A. Social Security Administration documentation for Atulie Balan.
- B. Corrected computation sheet for Atulie Balan.
- C. Social Security Administration documentation for Bardinal Brice.
- D. Corrected computation sheet for Bardinal Brice.
- E. Social Security Administration documentation for Marie Josee Francois.
- F. Corrected computation sheet for Marie Josee Francois.
- G. Corrected computation sheet for Louis Antoine Dormeville.

# APPENDIX C

ROUTING AND TRANSMITTAL SLIP				DATE: 01/10/2008	
TO: (Name, office symbol, room number, Building, Agency/Post)				Initials	Date
DISTRICT MANAGER					
KATHY DREW KING					
NATIONAL LABOR RELATIONS BROAD					
REGION 29					
OFFICE CODE:					
X	Action		File		Note and Return
	Approval		For clearance		Per Conversation
	As Requested		For Correction		Prepare Reply
	Circulate	X	For Your Information		See Me
	Comment		Investigate		Signature
	Coordination		Justify		

REMARKS: NH: ATULIE MARIE A BALAN  
 SSN: 057-78-0968  
 RECEIVED HER SSN DATE ON 09/20/1990

RECEIVED  
 METRO-REGION 29  
 BROOKLYN, NY  
 01/10/08 10:11 PM

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearance, and similar actions

FROM: OEO/DERO	Room No.-Bldg. METRO-WEST
	Phone No. 410-966-9129

5041-102

OPTIONAL FORM 41 (Rev.7-76)

# BACKPAY CALCULATION

CASE NAME: DOMSEY TRADING CORP.  
CASE NUMBER: 29-CA-14548  
CLAIMANT: BALAN, ATULIE

BACKPAY PERIOD: 9/20/90-8/20/91  
INTEREST TO: 7/1/1997

Year	Qtr.	Hours	Rate	Gross Backpay	Interim Earnings	Interim Expenses	Net Interim Earnings	Net Backpay
1990	3rd	84.50	4.65	392.93			0.00	392.93
1990	4th	549.25	4.65	2,554.01			0.00	2,554.01
1991	1st	549.25	4.65	2,554.01			0.00	2,554.01
1991	2nd	0.00	4.65	0.00			0.00	0.00
1991	3rd	0.00	0.00	0.00			0.00	0.00
Totals:				5,500.95			0.00	\$5,500.95

TOTAL BACKPAY AND INTEREST DUE:

## Notes:

- 1 Out of country from 8/4/90 - 8/27/90
- 2 Obtained her SSN on 9/20/90
- 3 Reinstated at Domsey on or about April 2, 1991

Exhibit B

# SOCIAL SECURITY ADMINISTRATION Application for a Social Security Card

## INSTRUCTIONS

- Please read these instructions carefully.
- Fill in all spaces and use blue ink.
- After you complete this form, take it along with the required documents to your nearest Social Security office.
- If you are completing this form for someone else, answer the questions as they apply to that person. Then, sign your name in question 16.

### 1 NAME

First Name Last Name

First Middle Last

First Middle Last

Do not include middle name or initial.

### 2 ADDRESS

Street Address Apt. No. (if any) City State Zip

### 3 CITIZENSHIP

☐ U.S. born ☒ Naturalized U.S. citizen ☐ Alien (if so, specify country of birth and date of entry)

### 4 SEX

☒ Male ☐ Female

### 5 RACE/ETHNIC DESCRIPTION

☐ American Indian or Alaska Native ☐ Asian or Pacific Islander ☐ Black or African American ☐ White

### 6 DATE OF BIRTH

Month Day Year

### 8 MOTHER'S MAIDEN NAME

First Middle Last

### 9 FATHER'S NAME

First Middle Last

### 10 Has the person in item 1 ever received a Social Security number before?

☐ Yes (specify number) ☒ No

### 11 Enter the Social Security number previously assigned to the person listed in item 1.

Number

### 12 Enter the name shown on the most recent Social Security card issued for the person listed in item 1.

Name

### 13 Enter any different date of birth if used on an earlier application for a card.

Date

### 14 TODAY'S DATE

Month Day Year

### 15 DAYTIME PHONE NUMBER

Area Code Number

### 16 YOUR SIGNATURE

Signature

### 17 YEAR RELATIONSHIP TO THE PERSON IN ITEM 1 IS

Relationship

Do not include middle name or initial.

Print name and address of person for whom card is being applied for.

## APPENDIX C

☐ Yes (If "yes", answer questions 11-13.)

☒ No (If "no", go on to question 14.)

☐ Don't Know (If "don't know", go on to question 14.)

11 Enter the Social Security number previously assigned to the person listed in item 1.

□ □ □ - □ □ - □ □ □ □

12 Enter the name shown on the most recent Social Security card issued for the person listed in item 1.

FIRST MIDDLE LAST

13 Enter any different date of birth if used on an earlier application for a card.

MONTH DAY YEAR

14 TODAY'S DATE 01-22-91 15 DAYTIME PHONE NUMBER (718) 774-6213

MONTH DAY YEAR

AREA CODE

DELIBERATELY FURNISHING OR CAUSING TO BE FURNISHED FALSE INFORMATION ON THIS APPLICATION IS A CRIME PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH.

16 YOUR SIGNATURE

17 YOUR RELATIONSHIP TO THE PERSON IN ITEM 1 IS:

☒ Self ☐ Natural Or Adoptive Parent ☐ Legal Guardian ☐ Other (Specify)

Cardinal Brice

DO NOT WRITE BELOW THIS LINE (FOR NSA USE ONLY)				NIN		NOC		NTH		CAN		FRV	
EVIDENCE SUBMITTED				NIN		NOC		NTH		CAN		FRV	
Hasty Passport 1143-899-254				NIN		NOC		NTH		CAN		FRV	
Employment Unrestricted				NIN		NOC		NTH		CAN		FRV	
Child's legal records				NIN		NOC		NTH		CAN		FRV	
SIGNATURE AND TITLE OF EMPLOYER'S REVIEWING EVIDENCE AND/OR CONDUCTING INTERVIEW				NIN		NOC		NTH		CAN		FRV	
1/22/91				NIN		NOC		NTH		CAN		FRV	
Werner				NIN		NOC		NTH		CAN		FRV	
DATE				NIN		NOC		NTH		CAN		FRV	

Form 555 (10/84) 5/88 edition may be used until supply is exhausted

TOTAL P.08

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1-22-91

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# BACKPAY CALCULATION

**CASE NAME:**  
**CASE NUMBER:**  
**CLAIMANT:**

DOMSEY TRADING CORP.  
29-CA-14548  
BRICE, BARDINAL

**BACKPAY PERIOD:** 1/22/91-8/20/91  
**INTEREST TO:** 7/1/1997

Year	Qtr.	Hours	Rate	Gross Backpay	Interim Earnings	Interim Expenses	Net Interim Earnings	Net Backpay
1990	3rd	0.00	5.40	0.00	0.00		0.00	0.00
1990	4th	0.00	5.40	0.00	0.00		0.00	0.00
1991	1st	430.00	5.40	2,322.00	225.00	1	225.00	2,097.00
1991	2nd	559.00	5.40	3,018.60	1,860.00	2	1,860.00	1,158.60
1991	3rd	301.00	5.40	1,625.40	480.00		480.00	1,145.40
<b>Totals:</b>				<b>6,966.00</b>			<b>2,565.00</b>	<b>\$4,401.00</b>

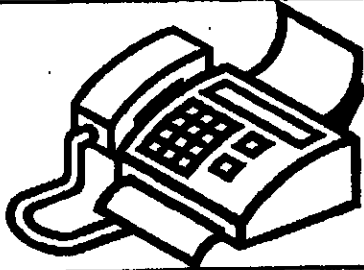
## TOTAL BACKPAY AND INTEREST DUE:

- Notes:
1. Strike benefits 1/22/91 to end of strike.
  2. Interim earnings from Alfred Chemical, 111 Garden Street, Brooklyn N.Y.

Board remanded for a determination as to when he received authorization to work in the U.S.  
Received his SSN on 1/22/1991.



## APPENDIX C

**A Facsimile  
From:****Office of Central Operations  
(OCO)****Division of Earnings Record  
Operations (DERO)**

Name: Daneille Wade

Module: 10

Desk #

Telephone No. 410-965-5041

**To: Kathy King, NLRB  
PSC or D/O Code:  
City/State: Brooklyn, NY****Fax number: 718-330-7579****Regarding: SSN: 590-24-9283  
Number Holder's Name: Marie Josee Francois****Date: 04-11-2008****Total Pages (Including Cover) 4****SPECIAL INSTRUCTIONS:**

Our records state that SSN 590-24-9283 was issued to Marie Josee Francois on 01/12/1984. If you have any further questions please feel free to contact me at the above number.

A handwritten signature in cursive script, appearing to read "Daneille Wade".

**If you have any problems with the fax transmission, please call:  
(410) 965-5041 or (410)**

## APPENDIX C

Form Approved  
OMB No. 0960-0366Social Security Administration  
Consent for Release of Information

TO: Social Security Administration

Marie Josee Francois 12/12/54 590-24-9283  
 Name Date of Birth Social Security Number

I authorize the Social Security Administration to release information or records about me to:

**NAME** **ADDRESS**  
National Labor Relations 2 MetroTech Center 5th Floor  
Board Brooklyn, NY 11201  
Atten: Kathy Drew King

I want this information released because:

Information is required in connection with litigation  
 (There may be a charge for releasing information.)

Please release the following information:

- ☐ Social Security Number  
☐ Identifying information (includes date and place of birth, parents' names)  
☐ Monthly Social Security benefit amount  
☐ Monthly Supplemental Security Income payment amount  
☐ Information about benefits/payments I received from \_\_\_\_\_ to \_\_\_\_\_  
☐ Information about my Medicare claim/coverage from \_\_\_\_\_ to \_\_\_\_\_  
     (specify) \_\_\_\_\_  
☐ Medical records  
☐ Record(s) from my file (specify) \_\_\_\_\_  
☒ Other (specify) Date on which Social Security Number was issued.

I am the individual to whom the information/record applies or that person's parent (if a minor) or legal guardian. I know that if I make any representation which I know is false to obtain information from Social Security records, I could be punished by a fine or imprisonment or both.

Signature: Marie J. Francois  
 (Show signatures, names, and addresses of two people if signed by agent.)  
 Date: 2-12-08 Relationship: \_\_\_\_\_

Form SSA-3288 (5-2007) EF (5-2007)

TOTAL P.03

TOTAL P.004

# BACKPAY CALCULATION

CASE NAME:  
CASE NUMBER:  
CLAIMANT:

DOMSEY TRADING CORP.  
29-CA-14548  
FRANCOIS, MARIE JOSE

BACKPAY PERIOD: 8/13/90-8/20/91  
INTEREST TO: 7/1/1997

Year	Qtr.	Hours	Rate	Gross Backpay	Interim Earnings	Interim Expenses	Net Interim Earnings	Net Backpay
1990	3rd	280.00	3.85	1,078.00	875.00	1	0.00	203.00
1990	4th	520.00	3.85	2,102.10	1,625.00		0.00	477.10
1991	1st	520.00	3.85	2,002.00	625.00		0.00	1,377.00
1991	2nd	520.00	4.25	2,210.00	0.00		0.00	2,210.00
1991	3rd	280.00	4.25	1,190.00	0.00		0.00	1,190.00
Totals:				8,582.10	3,125.00			\$5,457.10

## TOTAL BACKPAY AND INTEREST DUE:

### Notes:

- 1 ALJ found that strike "captain" benefits of \$65/week should be deducted. Francois received captain benefits throughout the strike period [until 2/1/91].

# APPENDIX C

## BACKPAY CALCULATION

CASE NAME:  
CASE NUMBER:  
CLAIMANT:

DOMSEY TRADING CORP.  
29-CA-14548  
DORMEVILLE, ANTOINE L.

BACKPAY PERIOD: 8/13/90-8/20/91  
INTEREST TO: 7/1/1997

Year	Qtr.	Hours	Rate	Gross Backpay	Interim Earnings	Interim Expenses	Net Interim Earnings	Net Backpay
1990	3rd	280.00	6.20	1,736.00	1,899.87	1.2	0.00	0.00
1990	4th	520.00	6.20	3,224.00	3,528.33	0.00	3,528.33	0.00
1991	1st	520.00	6.20	3,224.00	3,048.33	0.00	3,048.33	175.67
1991	2nd	520.00	6.20	3,224.00	2,748.33	0.00	2,748.33	475.67
1991	3rd	280.00	6.20	1,736.00	1,458.59	0.00	1,458.59	277.41
Totals:				13,144.00			12,683.45	\$928.75

### TOTAL BACKPAY AND INTEREST DUE:

#### Notes:

- 1 ALJ found that backpay should be offset by amount of workers' compensation benefits he received during the backpay period. Board found that ALJ should explain the basis of his computation. This computation is based on the Region's position that Dormeville received workers' compensation benefits in the amount of \$211.41 per week.
- 2 Strike benefits start week ending 8/17/90 and continue through 2/1/91.